

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHNNY LEE JONES,

Plaintiff

SGT. STOLK, et al..

Defendants

Case No.: 3:22-cv-00502-ART-CSD

Order

Re: ECF Nos. 3, 4, 5, 8

Plaintiff, who is a prisoner in custody of the Nevada Department of Corrections, filed an application to proceed in forma pauperis (IFP) and civil rights complaint pursuant to 42 U.S.C. § 1993(e)(2) (ECF Nos. 1, 1-1.)

The district court screened Plaintiff's complaint and allowed him to proceed with the following claims: (1) an excessive force claim in Count I against Chet Rigney, Guzman, Gonzales, and Drummond; (2) a First Amendment retaliation claim in Count III against Chet Rigney and Drummond; (3) a First Amendment retaliation claim in Count IV against John Doe; (4) a First Amendment deliberate indifference to Plaintiff's medical need claim in Count II against Guzman, Gonzales, and Kicklordin; (5) a First Amendment retaliation claim in Count V against Lieutenant Rigney (Chet Rigney's father), Cox, Underwood; (6) a First Amendment retaliation claim in Count VIII against Stolk; (7) an Eighth Amendment deliberate indifference to serious medical need claim in Count VI against Dr. No. 6.) (8) a Fourteenth Amendment equal protection claim in Count VII against Chet Rigney.

1 Plaintiff has filed a motion for preliminary injunction and temporary restraining order.

2 (ECF Nos. 3, 4.) He also filed an emergency motion for a telephonic or video conference (ECF

3 No. 5), and a motion to supplement those motions, or alternatively, a motion for an evidentiary

4 hearing (ECF No 8).

5 Preliminarily, Plaintiff's motion at (ECF No. 8 is **GRANTED** insofar as the court will

6 permit ECF No. 8 to serve as Plaintiff's supplement to the motions at ECF Nos. 3, 4, and 5.

7 Within **14 days** of the date of this Order, the Attorney General's Office shall advise the

8 court whether it will enter a limited notice of appearance on behalf of Defendants for the purpose

9 of responding to Plaintiff's motion for preliminary injunction and temporary restraining order

10 and supplement, as well as his request for a telephonic or video conference. If the Attorney

11 General's Office is willing to enter a limited notice of appearance, then also within **14 days** of

12 the date of this Order, the Attorney General's Office shall file a response to Plaintiff's motion and

13 supplement as well as his motion for a telephonic or video conference. Plaintiff will have **seven**

14 **days** from the date he receives the response to file a reply brief. The court will then determine

15 whether to hold a hearing or issue a report and recommendation.

16 The Clerk of Court shall electronically serve a copy of this Order, a copy of Plaintiff's

17 complaint (ECF No. 7), a copy of the order screening the complaint (ECF No. 6), as well as a

18 copy of Plaintiff's motion for preliminary injunction and temporary restraining order (ECF Nos.

19 3, 4), emergency motion for telephonic or video conference (ECF No. 5), and supplement (ECF

20 No. 8) on the Nevada Attorney General's Office by adding the Nevada Attorney General's

21 Office to the docket sheet. This will not constitute a general appearance.

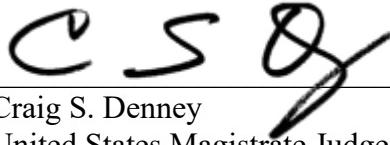
22 Plaintiff is advised that there is still a stay entered in this case while the parties participate

23 in the court's early mediation program. As such, Plaintiff shall not file any other documents with

1 the court while the stay is in place except for his reply brief as directed in this Order or any other
2 document ordered by the court.

3 **IT IS SO ORDERED.**

4 Dated: December 9, 2022

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6 Craig S. Denney
United States Magistrate Judge

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